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Paper No. 4

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JUL 23 2001

**OFFICE OF PETITIONS
A/C PATENTS**

MARTIN C. FLIESLER, ESQ.
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SUITE 400
FOUR EMBARCADERO CENTER
SAN FRANCISCO, CA 94111-4156

In re Application of :
Morales, et al. :
Application No. 09/773,312 :
Filed: January 31, 2001 :
Attorney Docket No.: AMDI8366US0 :
For: METHODS FOR CHARACTERIZING AND :
REDUCING ADVERSE EFFECTS OF TEXTURE :
OF SEMICONDUCTOR FILMS :

DECISION ACCORDING STATUS
UNDER 37 C.F.R. § 1.47(a)

This is in response to the petition under 37 C.F.R. § 1.47(a),
filed May 23, 2001.

The petition is **GRANTED**.

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the declaration D. Benjamin Borson establishes that the inventor was mailed the application papers, including the specification, claims and drawings, and thereafter refused to execute the application papers in an Email communication; attached to the instant petition is Exhibit A, a copy of the Email communication wherein the non-signing inventor's refusal to execute the application papers is evident.

The above-identified application and papers have been reviewed and found in compliance with 37 C.F.R. § 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

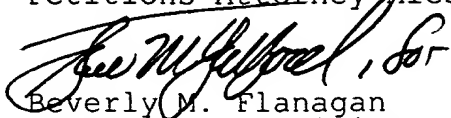
As per the authorization contained in the instant petition, deposit account No. 06-1325 has been charged the required surcharge for late filing of declaration of \$130.00 and the outstanding claim fees of \$80.00.

After this decision is mailed, the above-identified application will be returned to the Office of Initial Patent Examination for issuance of a corrected filing receipt.

Application No. 09/773,312

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Telephone inquiries related to this decision may be directed to
Petitions Attorney Alesia M. Brown at (703) 305-0310.

A handwritten signature in cursive script, appearing to read "Beverly M. Flanagan, Sr.", written in dark ink.

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



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GUARIONEX MORALES
859 BLAIR AVENUE, APT. 4
SUNNYVALE, CA 94087

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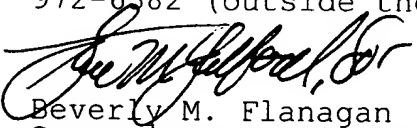
LETTER

Dear Mr. Morales:

You are named as the inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 C.F.R. § 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost as per 37 C.F.R. § 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 C.F.R. § 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Alesia M. Brown at (703) 305-0310. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).


Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

CC: MARTIN C. FLIESLER, ESQ.
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